

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Energy Assistance Act is amended by changing
5 Section 6 as follows:

6 (305 ILCS 20/6) (from Ch. 111 2/3, par. 1406)

7 Sec. 6. Eligibility, Conditions of Participation, and
8 Energy Assistance.

9 (a) Any person who is a resident of the State of Illinois
10 and whose household income is not greater than an amount
11 determined annually by the Department, in consultation with the
12 Policy Advisory Council, may apply for assistance pursuant to
13 this Act in accordance with regulations promulgated by the
14 Department. In setting the annual eligibility level, the
15 Department shall consider the amount of available funding and
16 may not set a limit higher than 150% of the federal nonfarm
17 poverty level as established by the federal Office of
18 Management and Budget; except that for the period ending June
19 30, 2013, ~~2012, or until the expenditure of federal resources~~
20 ~~allocated for energy assistance programs by the American~~
21 ~~Recovery and Reinvestment Act, whichever occurs first,~~ the
22 Department may not establish limits higher than 200% of that
23 poverty level or the maximum level provided for by federal

1 guidelines.

2 (b) Applicants who qualify for assistance pursuant to
3 subsection (a) of this Section shall, subject to appropriation
4 from the General Assembly and subject to availability of funds
5 to the Department, receive energy assistance as provided by
6 this Act. The Department, upon receipt of monies authorized
7 pursuant to this Act for energy assistance, shall commit funds
8 for each qualified applicant in an amount determined by the
9 Department. In determining the amounts of assistance to be
10 provided to or on behalf of a qualified applicant, the
11 Department shall ensure that the highest amounts of assistance
12 go to households with the greatest energy costs in relation to
13 household income. The Department shall include factors such as
14 energy costs, household size, household income, and region of
15 the State when determining individual household benefits. In
16 setting assistance levels, the Department shall attempt to
17 provide assistance to approximately the same number of
18 households who participated in the 1991 Residential Energy
19 Assistance Partnership Program. Such assistance levels shall
20 be adjusted annually on the basis of funding availability and
21 energy costs. In promulgating rules for the administration of
22 this Section the Department shall assure that a minimum of 1/3
23 of funds available for benefits to eligible households with the
24 lowest incomes and that elderly and disabled households are
25 offered a priority application period.

26 (c) If the applicant is not a customer of record of an

1 energy provider for energy services or an applicant for such
2 service, such applicant shall receive a direct energy
3 assistance payment in an amount established by the Department
4 for all such applicants under this Act; provided, however, that
5 such an applicant must have rental expenses for housing greater
6 than 30% of household income.

7 (c-1) This subsection shall apply only in cases where: (1)
8 the applicant is not a customer of record of an energy provider
9 because energy services are provided by the owner of the unit
10 as a portion of the rent; (2) the applicant resides in housing
11 subsidized or developed with funds provided under the Rental
12 Housing Support Program Act or under a similar locally funded
13 rent subsidy program, or is the voucher holder who resides in a
14 rental unit within the State of Illinois and whose monthly rent
15 is subsidized by the tenant-based Housing Choice Voucher
16 Program under Section 8 of the U.S. Housing Act of 1937; and
17 (3) the rental expenses for housing are no more than 30% of
18 household income. In such cases, the household may apply for an
19 energy assistance payment under this Act and the owner of the
20 housing unit shall cooperate with the applicant by providing
21 documentation of the energy costs for that unit. Any
22 compensation paid to the energy provider who supplied energy
23 services to the household shall be paid on behalf of the owner
24 of the housing unit providing energy services to the household.
25 The Department shall report annually to the General Assembly on
26 the number of households receiving energy assistance under this

1 subsection and the cost of such assistance. The provisions of
2 this subsection (c-1), other than this sentence, are
3 inoperative after August 31, 2012.

4 (d) If the applicant is a customer of an energy provider,
5 such applicant shall receive energy assistance in an amount
6 established by the Department for all such applicants under
7 this Act, such amount to be paid by the Department to the
8 energy provider supplying winter energy service to such
9 applicant. Such applicant shall:

10 (i) make all reasonable efforts to apply to any other
11 appropriate source of public energy assistance; and

12 (ii) sign a waiver permitting the Department to receive
13 income information from any public or private agency
14 providing income or energy assistance and from any
15 employer, whether public or private.

16 (e) Any qualified applicant pursuant to this Section may
17 receive or have paid on such applicant's behalf an emergency
18 assistance payment to enable such applicant to obtain access to
19 winter energy services. Any such payments shall be made in
20 accordance with regulations of the Department.

21 (f) The Department may, if sufficient funds are available,
22 provide additional benefits to certain qualified applicants:

23 (i) for the reduction of past due amounts owed to
24 energy providers; and

25 (ii) to assist the household in responding to
26 excessively high summer temperatures or energy costs.

1 Households containing elderly members, children, a person
2 with a disability, or a person with a medical need for
3 conditioned air shall receive priority for receipt of such
4 benefits.

5 (Source: P.A. 96-154, eff. 1-1-10; 96-157, eff. 9-1-09;
6 96-1000, eff. 7-2-10.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.